



## Senate

General Assembly

**File No. 421**

February Session, 2018

Substitute Senate Bill No. 364

*Senate, April 11, 2018*

The Committee on Education reported through SEN. SLOSSBERG of the 14th Dist. and SEN. BOUCHER of the 26th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

### **AN ACT REQUIRING REPORTS CONCERNING SPECIAL EDUCATION EXPENDITURES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2018*) On or before July 1, 2019,
- 2 and annually thereafter, each local and regional board of education
- 3 shall submit a report on its expenditures for special education for the
- 4 prior fiscal year to the Department of Education. Such report shall
- 5 include, but need not be limited to, (1) the total expenditures for
- 6 special education of the board of education, (2) the expenditures for
- 7 special education as a percentage of the school district's total
- 8 expenditures, and (3) individual expenditures for each child requiring
- 9 special education who is under the jurisdiction of the board of
- 10 education, except a board of education shall not include in such report
- 11 any information that personally identifies, or can be used to personally
- 12 identify, any such child or children requiring special education. Such
- 13 report shall not be a public record, as defined in section 1-200 of the
- 14 general statutes, except that nothing in this section shall be construed
- 15 to prevent the disclosure of information that is included in the strategic

16 school profile under subsection (c) of section 10-220 of the general  
17 statutes.

18       Sec. 2. (NEW) (*Effective July 1, 2018*) On or before October 1, 2019,  
19 and annually thereafter, the Department of Education shall submit a  
20 report on disaggregated data relating to the expenditures for special  
21 education by local and regional boards of education for the prior fiscal  
22 year, collected pursuant to section 1 of this act, to the joint standing  
23 committee of the General Assembly having cognizance of matters  
24 relating to education, in accordance with the provisions of section 11-  
25 4a of the general statutes. Such report shall include, but need not be  
26 limited to, a breakdown of the total number of students requiring  
27 special education in each school district whose per pupil educational  
28 cost for such school district is (1) two times the net current  
29 expenditures per resident student of such school district, (2) two and  
30 one-half times the net current expenditures per resident student of  
31 such school district, (3) three times the net current expenditures per  
32 resident student of such school district, (4) three and one-half times the  
33 net current expenditures per resident student of such school district,  
34 (5) four times the net current expenditures per resident student of such  
35 school district, and (6) four and one-half times the net current  
36 expenditures per resident student of such school district. For purposes  
37 of this section, "net current expenditures per resident student" means  
38 the quotient obtained by dividing the net current expenditures, as  
39 defined in section 10-261 of the general statutes, of such local or  
40 regional board of education for the prior fiscal year by the number of  
41 resident students, as defined in section 10-262f of the general statutes,  
42 of such local or regional board of education.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2018</i>	New section
Sec. 2	<i>July 1, 2018</i>	New section

**ED**

*Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

### ***OFA Fiscal Note***

#### ***State Impact:***

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 19 \$</b>	<b>FY 20 \$</b>
Education, Dept.	GF - Cost	130,000	90,000
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	29,064	29,064

Note: GF=General Fund

#### ***Municipal Impact:***

<b>Municipalities</b>	<b>Effect</b>	<b>FY 19 \$</b>	<b>FY 20 \$</b>
Local and Regional School Districts	STATE MANDATE - Cost	Potential Significant	Potential Significant

### ***Explanation***

The bill results in a cost to the State Department of Education (SDE) and local and regional boards of education as it requires districts to report disaggregated data about special education expenditures for the prior fiscal year.

Currently, districts report expenditures on students who are eligible for the Excess Cost grant (4.5 times net current expenditures per resident student), which is approximately 5,000 students statewide. Under the bill, districts would be required to report expenditures on approximately 67,000 additional students statewide. This could result in a potential significant cost to various districts, associated with additional administrative staff time. The cost to the districts will vary

<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 36.33% of payroll in FY 19 and FY 20.

by the size of the district and the number of special education students, but could be significant.

Additionally, SDE would require one additional full-time staff position to monitor and aggregate the additional data. This results in an annual cost of \$109,064 (\$80,000 for salary and \$29,064 for fringe benefits). SDE would also require up to \$50,000 in FY 19 for additional information technology related expenses. The information technology costs are associated with: (1) data collection (\$10,000), (2) data analysis and integration (\$30,000), and (3) report modifications (\$10,000). The data analysis, integration, and report modification expenses are one-time in nature. The data collection costs are ongoing.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, except for most of the information technology costs, which are one-time in nature.

**OLR Bill Analysis****sSB 364*****AN ACT REQUIRING REPORTS CONCERNING SPECIAL EDUCATION EXPENDITURES.*****SUMMARY**

This bill requires each local and regional board of education, beginning July 1, 2019, to annually report its special education expenditures for the prior fiscal year to the State Department of Education (SDE). Each report must include at least:

1. the board's total special education expenditures;
2. such spending as a percentage of total school district expenditures; and
3. individual expenditures for each child requiring special education under the board's jurisdiction, except a board must not include any information that personally identifies, or can be used to personally identify, any child requiring special education.

(Under existing law, boards must already report the information required by the first two items above as part of the strategic school profile report they must provide to SDE each year (CGS § 10-220(c)) (see BACKGROUND)).

The bill exempts the special education expenditure reports from disclosure under the Freedom of Information Act, except for any of their contents that a strategic school profile report, which is a public record, might also contain.

It also requires SDE, annually by October 1 and beginning in 2019, to submit to the Education Committee a report, using the

disaggregated data submitted by boards, that detail local and regional board of education special education expenditures for the prior fiscal year. At a minimum, the report must include a breakdown of the total number of special education students in each district whose per-pupil educational cost to the district exceeds its net current expenditures per resident student multiplied by (1) two, (2) two and a half, (3) three, (4) three and a half, (5) four, and (6) four and a half.

Under the bill, “net current expenditures per resident student” means the result of dividing a board’s net current expenditures for the prior fiscal year by its number of resident students (CGS §§ 10-261 and 10-262f).

EFFECTIVE DATE: July 1, 2018

## **BACKGROUND**

### ***Strategic School Profile Report***

These reports contain school and district information about various topics, such as student needs, school resources, student and school performance, and the provision of special education services. By law, local and regional boards of education must create and submit these reports to the education commissioner (CGS § 10-220(c)).

## **COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute

Yea 21 Nay 14 (03/23/2018)